

TOPICS IN

COMMUNITY CORRECTIONS

Annual Issue 1996: OFFICER SAFETY

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FOREWORD

by Richard Faulkner, NIC Community Corrections Division

This issue of *Topics in Community Corrections* focuses on officer safety. There is probably no single community corrections issue that can have a greater impact on supervision or create more controversy than officer safety. There is no question that community corrections officers are exposed to more risk today than they were in the past. One reason for this increased risk is that people sentenced to probation and those released on parole supervision are more serious offenders than in the past—in terms of the seriousness of their criminal acts, prior records, and drug abuse histories (Petersilia and Turner, 1990). The emergence of intermediate sanctions during the last decade, with programs such as ISP, has also placed a responsibility on agencies and officers to monitor offenders more closely. Another important trend affecting officer safety is a movement toward a community-oriented model of supervision, which requires officers to perform a major portion of their duties in the community rather than from behind their desks.

Probation and parole officers must also make offender home inspections at various hours of the day or night and often in crime-infested neighborhoods. If officers' safety concerns keep them from effectively monitoring offenders, the viability of the community corrections program may suffer, and, ultimately, the community may experience more victimizations.

Officer safety has too often been framed within the simplistic context of firearms—focusing on whether to arm or not to arm officers as well as on the age-old question of whether community corrections officers should be social workers or police officers.

The following articles very clearly illustrate that officers' safety is much more than a firearms issue. It is an issue of agency mission, policy, and training. Most of all, it is an issue that probation and parole agencies cannot ignore if they hope to protect and serve the public by effectively intervening with offenders.

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OFFICER SAFETY THE CORE ISSUES

by Richard Kipp, Chief, Lehigh County Department of Adult Probation and Parole, Allentown, Pennsylvania

Officer safety is not a community corrections philosophy or mission; it has nothing to do with whether you perceive your role as a social worker or police officer. Officer safety is a commitment to a specific and practical plan to ensure the safety, survival, and welfare of officers. Officer safety is a challenge to the principles and assumptions we have held about community corrections for decades.

Like many other social institutions, community corrections agencies are attempting to respond to rapid social change and its related problems. Many departments and officers feel themselves to be slowly drowning in a rising tide of serious crime. Illegal drugs, gang violence, and high-risk offenders are all threats to officer safety.

Officer Safety-A State of Mind

Officer safety is, foremost, a state of mind. For many, it is simply a cognitive exercise, but for others, it is an emotional confrontation with risks and uncertainties. During training on officer safety, we have observed that many listen, learn, and adjust their mental attitudes. However, many others find the training inappropriate, feeling that it creates paranoia or is in conflict with what they believe a community corrections philosophy, mission, or practice should be. Unfortunately, the value of training is acknowledged by some only after they have been injured.

Surveys of county, state, and federal probation and parole jurisdictions have determined that the victimization of officers, whether through intimidation or physical assault, is a significant problem. Officer victimization is a realistic consequence of officers performance of their duty. Regardless of whether a department makes arrests, whether it is office- or field-based, and whether it counsels or brokers services, it should require safety training for all new and tenured officers. We must give officers the skills to be mentally prepared, to recognize the dynamics of confrontations, to control situations, and to disengage safely.

Risk Is Part of the Job

To deal effectively with offenders, officers must supervise them through close and continuous contact. Although officers must be prepared, they cannot adopt too defensive a posture of caution and still perform their mission. Staff representing all levels and functions must gain a realistic anticipation of the threats that may arise and develop options for safely avoiding or resolving those threats.

Research has not identified a recurring, predictable pattern of physical behavior that is a reliable indication of an assailant personality or of what might provoke an attack. We do know that offenders can decide when, where, and whom to attack, on grounds that may be purely selfish or totally irrational. The fact is simply that officers supervise high-risk offenders-as well as those whose risk is unknown.

Recognizing the Need for Training

Throughout the country, line staff-but not all administrators-are identifying officer safety as the most important training need in community corrections. Line staff feel this need because they have more directly faced the increased risk to safety resulting from current characteristics of the environment and of the offenders. Management's problem-solving skills, on the other hand, have tended to be in a reactive mode. Unfortunately, it often takes a violent incident to trigger an administrator's attention to the importance of officer safety.

Why must we wait for an officer's death before training becomes a priority issue? Why must we wait for an exposure to tuberculosis, hepatitis, or tetanus before we test or vaccinate officers? The cost of defensive tactics training, metal detectors, soft body armor, radios, and shields in vehicles should no longer be considered a budgetary extravagance, but a necessity. The fact that even one officer has been killed, raped, or seriously injured is enough to validate training as a necessity and pursue it with tenacity.

The picture of the future is also clear. No one is predicting a decline in drug and alcohol use, gang violence, or officer victimization. Nor do we anticipate significant increases in community corrections funding or resource allocation. However, by recognizing these facts, we can gain extraordinary leverage in shaping the future to improve officers' safety. During times of high turbulence, we need to be proactive in our training. We need to be anticipatory, not reactionary.

Even if anticipation, problem identification, and common sense may elude us, we know that the courts will judge us. Allegations of excessive use of force, negligent entrustment of equipment, or negligent failure to train are likely to result in our paying financial reparation for our failure to address officer safety.

Elements of a Good Safety Training Program

Every department must develop a plan to implement officer safety training, which should address:

- Safety awareness,
- Street survival,
- Use of force,
- First aid and cardiopulmonary resuscitation,
- Legal liabilities,
- Guidelines for report writing,
- Crisis de-escalation skills,

- Universal precautions (exposure control of infectious materials),
- Vehicle use,
- Office security,
- Defensive tactics,
- Officer victimization, and
- Use of equipment such as metal detectors, radios, soft body armor, vehicles, impact instruments, chemical agents, and firearms.

Training must be relevant, recent, and realistic, and it must focus on community corrections. Although material and trainers from other disciplines (e.g., police, sheriff, or corrections) may be used, what they provide must be germane to community corrections departments' policies and procedures.

Contemporary tactics to increase officer safety result from both positive and negative experiences in the field. Many training programs have not benefited from these experiences, however. For example, some jurisdictions are still training officers to search, then handcuff, or to search using an unprotected hand. However, it has been proven that if officers handcuff prior to searching, they will have a greater probability of protecting themselves, detecting potential weapons, and controlling an offender. We need to teach recent tactics.

Much training is too static, sterile, and inapplicable to real situations. Consequently, officers fail to understand the dynamics of a confrontation. Training must be dynamic, cause stress, and simulate real-life encounters. Training must make safe behaviors natural and reflexive. Under stress or in a crisis, officers will instinctively revert to the way we have trained them. As the brain compares present against future, it analyzes what has happened in the past. The brain will unconsciously scan past events in selecting present options. Because the brain reacts to cues, we must require that simulation training pre-programs critical cues and allows officers to practice responses. In addition, training must be repeated; competency development requires extensive practice.

The Importance of Verbal De-Escalation

Training must concentrate on the knowledge and skills that officers will need in most confrontations. Unfortunately, because firearms have come to be seen by some as the panacea for officer safety, training in persuasion and verbal de-escalation techniques has been subordinated. However, these verbal skills are used most frequently to prevent or resolve threats. Many departments choosing to arm officers have not provided training in other crucial areas, such as verbal de-escalation, unarmed self-defense, or the use of chemical agents.

Most subjects encountered by officers are cooperative. Some are resisters. A small number are assailants. The number of subjects using force that justifies an officer in responding with lethal force is insubstantial. Despite this, departments continue to put firearms at the core of safety training and fail to provide adequate training in force that is less than lethal.

We should not, of course, dismiss the place of firearms or the potential for officers-despite their best efforts-to be placed in life-threatening situations. However,

firearms are only one tool in officers' repertory of skills and equipment. This repertory must also include the officers' ability to correctly apply:

- Verbal control,
- Techniques of holding and stunning,
- Direct mechanical control without weapons,
- Control modes with weapons (i.e., impact instruments), chemical agents, and firearms, and
- The ability to disengage.

Without the option of different tools, officers will compensate by applying inappropriate force. Ineffective or excessive force places officers and departments at risk of injury and litigation.

The Use-of-Force Model

A use-of-force model is the foundation for all officer safety training. The department should select a model based on its ability to describe the reasons, considerations, and limitations of all levels of force. Such a model can generalize, categorize, and relate circumstances existing at the time force is used, based on the threat and resistance level of a subject's behavior. A subject's behavior is a more accurate predictor of risk than appearance, attitude, or other characteristics, which are values-based and sometimes prejudicial.

A use-of-force model must clearly define the types of force available to an officer. The strength of such a model is in its ability to permit an officer to make a split-second decision, assessing a subject's immediate threat and determining the specific amount of force necessary to control the subject. Models that are ambiguous foster hesitation and uncertainty, which can lead to ineffective or excessive force.

Factors in Training and Certification

Departments should develop an annual training and certification program for officer safety. The program must include a written training description, syllabus, list of instructors, training dates, number of training hours, practical and written tests, and provisions for retesting. Departments should also apply performance measures to trainees. Unless we can document competence, we may be entrusting equipment inappropriately or assigning officers to tasks beyond their ability.

Budgetary constraints are not defensible in allegations of negligent failure to train. At the same time, however, training does not have to be expensive. A skilled bank of in-house trainers is cost-effective and can allow for flexibility in scheduling, remedial training, and assistance in policy and procedure development. In-house trainers can also be useful in reviews of use-of-force incidents.

In addition, training does not have to be a full-time assignment. Many trainers maintain traditional or specialized caseloads, with training an ancillary or small part of their jobs.

Trainer credentials. Trainers need to have credentials. An officer who has a black belt in karate is not necessarily qualified to be an instructor. Certification through a nationally recognized program (e.g., the American Red Cross, the National Rifle Association, or Protective Safety System) offers the best assurance that an instructor has the necessary knowledge, skills, and ability to instruct.

Legal review. When an agency is considering a training program, it is also important to determine the extent to which the program has been involved in court proceedings. For example, a program based on a use-of-force model that has survived the scrutiny of the court may make a significant contribution in preventing or defending against litigation.

Equipment selection. Selecting equipment is a process, not simply the result of a recommendation from a local law enforcement agency or vendor. If a piece of equipment is used incorrectly or is used correctly but is blamed for an injury, the department must be prepared to explain why that particular equipment (including type, brand, and model) was selected. Technical reports, such as those prepared by the National Institute of Justice, provide useful comparative information and are available for nearly all types of equipment. It is also important to field-test equipment to avoid mistakes such as purchasing a firearm whose circumference is too large for officers to grip.

Community corrections is a hazardous occupation and demands vigilance. We must realize that the nature of community corrections is putting officers into high-conflict environments to work with high-conflict people. Whether an officer sees him- or herself as a social worker or a police officer is irrelevant-what is important is the officer's state of mind. Officer safety forces us to face our vulnerability and mortality. It requires a substantial commitment. It forces us to take better care of ourselves.

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SIMULATION TRAINING: THE KEY TO SAFETY SKILLS RETENTION

by Robert L. Thornton, M.Ed., Senior United States Probation Officer, Western District, Washington

Sitting in your car, you reflect on the confrontation that just occurred between you and your offender. Your body feels tight, your hands shake, and you start thinking of the things you wish you had said. Self-doubts start to invade your thinking process. *"What would the boss think of the way I handled that situation? I got out of this one, but will I be as lucky the next time? I've never been in a situation like that before. I didn't really think-I just reacted. Thank goodness it worked."*

Time passes and your anxiety begins to turn to anger. You remember the lecture you attended on officer safety. The information seemed logical and you thought it was good information, *"... But it didn't prepare me for what happened. What type of training could prepare me for a situation like this?"*

Community Corrections-A Dangerous Business

There's a saying in aviation: It's hours of boredom spiked by moments of sheer terror. Although community corrections work certainly isn't boring, the reality is that most officers come to work, perform their duties, and go home without a serious confrontation-usually. It's the exceptions that have given rise to an increased concern for staff safety. Recently, the American Probation and Parole Association (APPA) surveyed its national constituency on the most important professional issues. Not surprisingly, staff safety was at the top of the list.

William Parsonage's work on the victimization of community corrections officers tells us that nearly 50 percent of us will be victims of some type of assault or significant hazardous duty incident during our careers. Many agencies and individual officers have dealt with safety issues by participating in various forms of "mental awareness" training consisting of lecture format presentations that cover a wide range of topics from how to set up an office to the use of firearms. But does this approach really train an officer to deal effectively with confrontations?

Legal Decisions and the Need for Training

To answer that question, we need only look to various legal decisions that have been rendered regarding law enforcement training. Community corrections agencies have been quite fortunate in not having been sued for a failure to train. However, it is just a matter of time before offenders, officers, or the officers' survivors apply the test to community corrections work. Cases such as *Popow v. Margate* and *McCelland v. Facticeau* point to an agency's vulnerability when safety training lacks "realism, relevance, and recency." Basically, the courts have ruled that officers need to be provided training that is relevant to their job tasks and simulates conditions under

which they will be performing the safety skills that are taught. The cases also make clear that lack of funds is not an excuse for failing to provide such training.

While many of the legal cases address the use of lethal force, the same principles can be applied to lower levels in the use-of-force continuum. The cited court cases address the use of force toward offenders, but the failure-to-train issue also extends to suits brought by officers in cases where the agency requires officers to perform job tasks that involve safety risks to officers.

In a recent article, Paparozzi and Martin point out that staff safety is not a treatment-versus-social-work issue. The issue is whether the agency requires officers to perform job tasks in which risks to safety are foreseeable. Based on prior assaults and hazardous duty issues, we all know-or should know-that assaults occur in the office or the field and that they can come from any individual.

The FBI and the Bureau of Justice Statistics compile statistics on assaults on law enforcement officers, but there is no central collection source or repository of information on assaults on community corrections personnel. For law enforcement officers, arrest situations are consistently a leading cause of deaths. However, when we look at deaths of and serious assaults against community corrections personnel, what is striking is the number of assailants with a history of mental illness.

Simulation Training the Answer

“Under stress in a crisis, we will instinctively revert to the way we have been trained.” Obviously, if we have not received appropriate safety training or have failed to integrate the training into our job performance, we will lack the necessary skills to perform effectively when a threatening situation arises.

Adult learning principles tell us that we retain only 10 percent of what we read, 20 percent of what we hear, and 30 percent of what we see. However, we retain 90 percent of what we say and do as we participate in a simulated experience. Safety simulation training therefore provides the best way for officers to learn and retain safety skills. This form of training also meets the legal challenge.

Although simulation training has been used extensively in firearms training, it has not been as widely applied to other aspects of safety training. However, it is no less applicable. A goal of safety simulation training is to provide a setting in which officers can practice skills ranging from officer presence to the use of lethal force in a realistic but controlled environment.

Trainers must lay the proper groundwork before providing simulation training. Throwing officers into simulation training without the proper groundwork is setting them up to fail. I recommend the following three-step system for developing an effective safety training program.

Step 1. Conduct mental awareness training in lecture format. Officers must know and understand a skill before it can be practiced. A general survey course on officer safety is effective in exposing officers to various safety concepts and procedures and in establishing the proper mind set-i.e., a survival mentality. An integral part of this training is the introduction of a use-of-force continuum. Agencies should give strong consideration to using or developing a use-of-force continuum that not

only lists the behaviors available to the officer but also describes the specific correlating assailant behaviors for which they can be used.

Step 2. Provide training in individual skills. The purpose of training at this level is to familiarize a participant with the mechanics of the skill; many authorities refer to this level of training as static training. Like any skill, safety skills need to be learned in a building block process. Skill training should be done in a tell-show-do format, beginning with the lowest level on the use-of-force continuum.

- **Tell:** The instructor first provides information regarding the purpose of the skill, how it is to be used, and against what type of assailant.
- **Show:** The instructor then demonstrates the skill by live demonstrations, training videos, or other means.
- **Do:** The participants then perform the skill in a controlled environment under instructor supervision.

Students should receive specific feedback on their skill performance. I also recommend that performance standards be established and that skills be tested, both to ensure that the participant can perform at an established skill level and to provide documentation for the agency.

Step 3. Begin simulation training. Once the skill has been mastered, it is appropriate to move on to the actual simulation training. Simulation training can be designed to test a particular skill, such as verbal diffusion or the use of O.C. spray. It can also provide a general simulation training exercise, in which the participant enters a scenario, makes a decision about what safety skills to use, and afterward articulates his/her reasons for responding in that manner.

Dynamics of Simulation-Based Training

The purpose of simulation-based training is to allow community corrections officers to take officer safety training from classroom theory to a real-world setting. An agency and its trainers are free to tailor the scenarios to address specific training issues of importance to that agency.

- **Real-world emphasis.** It is helpful to take actual incidents that have occurred within the community corrections field, which prevents officers from discounting the training and alleging that it is not realistic to their job. Scenarios can involve office or field situations and should be designed as realistically as possible so that the simulation recreates a physical environment that is typical of what the officers will encounter. For example, for training on safety skills in evening home contacts, the scenario could simulate low light conditions. Participants should have the equipment that is typical of what they would normally take into the situation. The degree of realism that will be experienced depends on three factors: the actual setting, the actors used in the scenarios, and the officers/ participants.
- **Opportunities to succeed.** In the simulation, the agency should strive to create a win-win situation to facilitate learning. Some misinterpret this instruction, assuming it means that the simulation should be designed to ensure success. They argue-and they are correct-that this would not be realistic. However, that is not what this goal implies. By creating simulations that are win-win situations, we simply build into the exercise the opportunity for officers to succeed. Few would

argue that the chance for a successful outcome exists in almost any situation an officer may encounter. Just as it would be a mistake to design a simulation that virtually assured success, it would also be a mistake to design a simulation that virtually assured failure. The simulation should not be overly complex and should be relatively short (no more than 10 minutes), except for exercises involving a tactical situation such as a search, which can be longer.

- **Performance critique.** Each simulation should be followed by a constructive performance critique. Here the quality of the instructor comes into play, for the instructor must know how to provide constructive feedback. He or she must be a subject matter expert who can give accurate, constructive feedback on a given area and do so unscripted.

The instructor must also be willing to learn from the participants. A participating officer may devise and create an effective, if unusual, solution for a particular simulation. It is important to remember that the issue is not whether the officer was right or wrong but whether the behavior used to deal with the situation was effective or ineffective.

- **Video feedback.** A good way of giving feedback is through a video replay. However, the participant is often far more critical than the instructor might be, so it is important for the instructor to be as skilled in pointing to effective behaviors as to those that are less effective.
- **The trainee experience.** Simulation-based training can create a fairly high level of anxiety for some participants, which can be displayed in numerous ways. Some trainees may refuse to participate, others may participate but not take the training seriously, and still others who participate may be so overcome with anxiety that they make mistakes in exercises that they otherwise would not have made. Trainers need to be prepared to deal with these and other possible outcomes when they undertake simulation training.

Research has found that when the heart accelerates above 145 beats per minute, fine and complex motor skills begin to deteriorate. However, gross motor skills that require minimal fine motor control and very little decision-making complexity are not affected by high levels of stress.

Ideally, simulations will create a realistic degree of stress for the participants without causing an inappropriate “flight or fight” response. However, it is better for the participant to perform ineffectively here, where they can learn from the situation, than to do so in an actual crisis and suffer the serious repercussions of their mistakes. If an officer makes a serious mistake during the exercise, the trainer should-if at all possible-have the officer immediately experience proper conduct. This allows the officer to leave the training experiencing success and having a positive mental attitude, as opposed to experiencing failure and its debilitating effects.

Making Diverse Skills a Matter of Instinct

Few will argue that community corrections work is becoming more hazardous. For too long we have wasted our efforts in arguing the social work versus law enforcement issue. If officers are required to perform functions that involve or may involve safety issues, there is an obligation for the agency to provide dynamic skills training in order to provide the officer with the skills needed to perform the job in a safe and effective manner.

Dynamic safety simulation training helps in assuring the agency-and the community-that the officer has been trained to deal effectively with safety issues and that the officer's performance has been evaluated and documented. Simulation training also provides the officer with the ability to evaluate an assailant's behavior, select the appropriate response within the use-of-force continuum, and articulate his or her reasons for responding in a specific manner.

Though simulation training has been reserved for higher levels of response such as firearms and/or lethal force, the reality is that community corrections officers are far more likely to encounter situations calling for the use of verbal and nonverbal intervention skills. Isn't it logical to spend at least as much time developing these skills?

The more skills an officer can call upon under stress and effectively perform, the greater the likelihood of successfully resolving a conflict. Unless the agency has provided training and the opportunity to practice safety skills in a dynamic manner via simulation training, it is unrealistic to expect officers to perform well under the stress of an immediate confrontation or attack. Remember: "Under stress in a crisis, we will instinctively revert to the way we have been trained."

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POLICE/PROBATION PARTNERSHIPS AS AN OFFICER SAFETY STRATEGY

by Ronald P. Corbett, Jr., Deputy Commissioner, Massachusetts Probation Department; Bernard L. Fitzgerald, Chief Probation Officer, Dorchester, Massachusetts; and James Jordan, Director, Office of Strategic Planning and Resource Development, Boston Police Department

Communities across the country are experiencing a worrisome surge in the amount of serious violence committed by youth, which is reflected in a growing rate of homicides by teenagers. Many of these communities have been searching for policies that will stem this bloody tide. The problem becomes more urgent in the face of predictions from James Fox of Northeastern University, among others, who foresees a major increase in youth violence by the end of the decade as a result of demographic trends (Fox, 1996).

In their search for weapons to employ in the effort to decrease violence, some communities have considered and some have implemented city-wide curfews. The notion is that prohibiting teenagers from being on city streets during the evening hours will deter youth violence.

Whatever the merits of city-wide curfews may be, probation agencies have traditionally employed targeted curfews as both a sanction and a strategy for deterring offenders from committing additional crimes. Typically these curfews are enforced through a combination of home visits, telephone contacts, and electronic monitoring.

As the levels and severity of youth violence escalate, probation officers charged with enforcing curfews face a new and heightened challenge in terms of officer safety. For departments that have chosen to arm their officers, the concerns are perhaps not as great. However, officers who are not armed naturally hesitate to conduct home inspections—clearly the preferred enforcement strategy—in high-crime areas. According to a recent news story from the Associated Press, for example, probation officers in the state of Maine are suspending the practice of conducting home inspections until they are armed. (See the *Boston Globe*, July 30, 1996.) As a group, they feel they are not adequately equipped to ensure their own safety.

Teaming for Improved Community Presence

In late 1992, faced with the dilemma of reconciling the need for on-site curfew enforcement with legitimate safety concerns, Boston probation officers reached out to local law enforcement to help find a solution. The resulting collaboration has become known as “Operation Night Light,” which puts Boston’s probation officers together with Boston police officers to jointly enforce curfews and other geographic restrictions placed by the court on high-risk youthful offenders.

A typical evening in Night Light includes the matching of one or two probation officers with a similar crew from the Boston Police Youth Violence Strike Force. The combined team meets at Strike Force headquarters to prepare for the evening's work. The probation officers will have identified 10 to 15 probationers to see that evening, concentrating on cases thought to be "active" on the street or on offenders who have been slipping in their compliance with probation conditions.

Operating in an unmarked car and in plain clothes, the team proceeds to its first scheduled curfew check. The police officers, who are responsible for safety, will be sensitive to the manner in which the home is approached and also to exit areas, in case the probationer seeks to evade the contact. Once the security issues-which are not monumental in most cases-are addressed, the probation officer(s) approach the door and seek entry. The contact then proceeds as would any typical probationary home inspection. Every effort is made to ensure that the parents and other family members are not alarmed by the presence of probation and police officers; courtesy and a friendly manner are emphasized.

The purposes of the inspection are to ascertain whether the probationer is home in observance of the curfew, to reinforce the importance of strict observance of all conditions, and to inquire of the parents or guardians about the probationer's behavior, both in the home and in the community. After these objectives are accomplished and any other issues of concern to any of the parties are addressed, the team thanks everyone for their cooperation and goes on to the next scheduled contact.

In addition to home contacts, Night Light teams commonly stop at parks or street corners where youth are congregated. The purpose of these visits is dual: to determine whether any probationers are present, and also to demonstrate to the youth of the city that the probation and police departments are working together in the evening and are interested in the whereabouts and activities of young people on probation. We have learned that the word spreads quickly that there is a new mode of operation in probation and a new level of jeopardy for those who would ignore their probationary obligations.

Benefits and Impact of Night Light

From the probation point of view, the presence of the police makes it possible to enter the most crime-ridden areas of the city into the late evening. That is, the police provide a high degree of security for probation officers who are not armed or equipped with telecommunications capacity.

The familiarity between the police and probation departments that has grown out of Night Light has led to routine, city-wide sharing of information regarding the identities of those on probation. This means that any information obtained by a police officer concerning the activities of a probationer-whether the subject of Night Light or not-can be passed on to the probation department. While this may seem an obvious strategy, the routine exchange of information between probation and law enforcement is uncommon in most jurisdictions. This communication failure robs probation of access to the contacts and observations made by police, who are working the community on a 24-hour, 7-day-per-week basis and therefore have more "eyes and ears" on the streets than even the most proactive probation department can muster. The increased flow of information on probationer activities has been one of the most valuable by-products of Night Light.

There is a new credibility to probation supervision and the enforcement of curfews and area restrictions that was not present when probation activities were limited to the 9-to-5 time frame. Feedback from offenders, police, parents, and community members alike indicates that the kids are aware that things have changed and have become more cautious, even compliant, in their behavior. This is a breakthrough.

What difference have the more than 5,000 Night Light contacts made in the last 3 1/2 years? Although direct impact is difficult to prove with certainty, the trends in terms of declining rates of homicide and other violent crimes are encouraging. To point to some recent data, during the first 6 months of 1996, there was 1 juvenile homicide compared to 10 for the same period in 1995. Moreover, the staff involved believe strongly that improved compliance with probation and decreased levels of gang-related violence are at least partially attributable to the efforts of Night Light. Court personnel believe that probationary sentences have gained a new and enhanced credibility as a result of the stricter enforcement of key conditions that Night Light provides. It is clear now, as it has not always been in the past, that those on probation must take their obligations seriously or they will be detected in not doing so, and that negative consequences will follow. And the word is on the street.

Yet another benefit is the hard-to-measure but nevertheless real reassurance that comes to neighborhoods in which Night Light operates. The knowledge that probation officers are around with the police ensuring that young probationers are off the streets in the evening brings a measure of relief to hard-hit communities. It is also very clear that the parents—who are often in a losing battle to keep their sons from responding to the lure of the streets—genuinely appreciate the support they receive through curfew enforcement. While this program is designed primarily to deter young offenders from committing new crimes, their parents recognize that it also serves to keep them from being victimized themselves in the mortal combat that envelops their streets.

In essence, this probation/police partnership has made curfew enforcement feasible and safe in all communities and has resulted in a collaboration that has yielded additional, collateral benefits. All parties—specially the communities—have benefited from Night Light.

For additional information, contact Ronald Corbett, Deputy Commissioner, Massachusetts Probation Department at (617) 727-5348.

“Night Light can target community concerns. If we have a rash of shootings, drive-bys, drug dealing, community complaints, we can call the court, be it Roxbury or Dorchester Court, and make all our area checks down here. So besides the added uniform presence, drug unit, detectives, and everybody else from here, we have probation officers down there to start shaking everybody’s tree too. If nothing else, it just defuses problems.” -Boston *probation officer*

References

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FIXING THE USE OF FORCE MACHINE

by John Desmedt, Control Tactics Trainer, Nokesville, Virginia

Having been an instructional designer and supervisor in a federal law enforcement and security agency, I have spent more than 15 years working to develop and promote integrated methods of managing physical conflict. I believe the time has come to link all aspects of physical conflict management: job requirements, policy, equipment, training, and supervision.

Establishing a coherent approach to managing physical conflict would assist in relieving:

- Officers from the consequences of situations in which force either was applied to bad effect or should have been applied but was not;
- Government agencies from the seemingly automatic public quest for monetary remedy after someone has been physically involved with a law enforcement officer; and
- The public from exposure to unnecessary force.

Risks Involved in the Use of Force

Officers face personal risk when enforcing laws and regulations. This risk can be in terms of a probable physical injury or a subsequent punishment arising from the officer's improper or unreasonable attempt to establish physical control.

Recently, I have also observed a new kind of risk—the “technical” use of force violation. The aftermath of any use-of-force event, no matter how well-intentioned, may be a prolonged legal problem for both officer and agency. Because clear, standardized rules and procedures for applying force do not exist, the outcome of any application of force is uncertain.

Concerning use of force, the methods that are most likely to establish immediate control are, unfortunately, also those most likely to cause injury to the subject. They are also the most likely to be irreversible. Using these methods may expose an officer to legal or administrative punishment. On the other hand, the control modes that are the least likely to injure the subject are least likely to establish control in time. Using these methods exposes the officer to injury or task failure.

Of course, the best principle is to avoid using force. This solution sounds eminently reasonable, except when failure to control a situation in time results in other dangers or complications. Just as force may be unnecessary in a given situation, it may be absolutely necessary in another.

How can the officer determine when and what kind of force will ultimately be judged reasonable or unreasonable? How can the officer translate the Constitution

into useful instructions to guide the emergency decision-making process? **How can** administrators prepare, assist, and support the officer?

External Factors

A number of external factors complicate the development of a coherent theory for the use of force. They include the public's expectations, the development of technologies of control, and the role of technical experts.

- **Expectations of the public-As** plaintiffs' attorneys lead us toward standards approaching perfection in the application of force, the public expects that officers should refrain from being violent, harmful, or even mildly upsetting. Unfortunately, however, these characteristics are inevitable when force is used to control a subject's actions.

- **Pace of advances in control technology-The** development of control technology has lagged behind expectations. With a few minor exceptions, options for force remain basically the same as they have been for a long time. Firearms and truncheons of the '90s are more expensive versions of the originals, but their expected effects are what they have always been. Physical manipulation techniques are still based on human physiology. Handcuffs have changed little in the modern era. Pepper, a new element, is now being used to irritate and inflame. Development of the radio has probably done more to revolutionize non-military government use of force than have any recent developments in weaponry.

Technology has not yet provided the answer we hope for: a simple-to-operate, highly reliable device that would establish immediate control of a subject with no negative side effects. Theoretically, one physical control device could be employed to control either a subject wielding a knife or firearm or an inmate who refuses to leave his cell when legally required to do so. Training would be minimal. The officer would not be required to make complicated split-second decisions (some of which cannot be reversed) or be exposed to the risks mentioned previously. He or she would simply use the device.

- **Disagreements among technical experts-Any** application of force is vulnerable to the technical opinion of experts in a variety of fields. Given a specific set of circumstances, technical experts will disagree. Use of force is one of the mini-battlefields in the volatile clash of uneven technological progress and rapid social change. Officers who are inadequately trained or supervised—who are confused, startled, frightened, panicked, or mistaken—are all sources of income for creative and ingenious plaintiffs attorneys and experts.

The Administrative Dilemma

To complicate the issue further, incidents related to critical force are not routine in most agencies. They therefore tend to engender less immediate concern from the administrator than do routine events. As a result, the common complaint from employees is, "Someone has to get killed, and then they will give us what we need."

"Yes, the problem is out there," responds the administrator, "but so are many other daily problems that are more pressing. As responsible administrators, we have to allocate our resources to events that will happen tomorrow—not to those that probably won't. We'll keep an eye on the safety and control issue, and if it becomes more serious, then we'll have to devote more resources to it." I can hear the adminis-

trators continue. “Here is the problem,” they say. “Training in use of force and safety is expensive and time-consuming. Furthermore, I don’t want my people getting injured learning to be safe. They won’t want to roll around on the ground in training. And the training probably won’t work, anyway.”

While such responses are reasonable, they are short-sighted. Although no problem may have occurred within the agency, the liability threat still exists. Moreover, concern for employee welfare is one practical reason to address safety issues. A concern for protecting the agency is another. When viewed as a complete mechanism, everything related to officer safety must function together: job requirements, officer capabilities, policy, equipment, training, tactics, and other support systems.

If it were a machine, would it work or wouldn’t it? Generally, the answer is “no.” Some probation and parole officers, for example, are required to take high-risk subjects into custody without training in tactical safety, less-than-lethal weapons, or firearms. Some carry firearms and have received firearms training but are not allowed to carry less-than-lethal weapons, are not issued radios or cellular phones, and are not trained in safety tactics.

Something in this mix is inconsistent. As officers face increased dangers and physical challenges, the system tends to be patched, but not redesigned. The result is yesterday’s system with some new, incompatible patches. If this were a machine, it would not work.

The “Dis-Integrated” Training Component

Lack of standards. Although the quality of performance in the application of force is closely dependent on training, there are no uniform standards for integrated training in force technology. Instead, instructional quality depends on the training tradition of the specific subject area. Firearms instructors, for example, are subject to traditional standards of instruction, program design, and quantitative assessment protocols. (Generally, shooters can entirely miss the target with 30 percent of their rounds and still qualify.)

In addition, standards for weaponless control methods vary widely among trainers. Manufacturers of physical control devices commonly attempt to set training standards specifically centered around their own devices even though the device’s effectiveness is highly dependent on the user. A “police” baton of any design is a good example. Its use can range from ineffective to brutal, depending on how and in what situation it is used.

Compartmentalization of techniques. Training in the use of force has been and still is compartmentalized rather than integrated. Baton trainers emphasize the use of batons, just as firearms instructors emphasize the use of firearms. Even “ground fighting” specialists concentrate on their specialty, while one training group markets the targeting of “pressure points.” Control and tactical operations training are separated differently in various agencies, but they are always separated. Handcuffing may be a function of the firearms staff, while vehicle stop training is a function of the driving staff. Self-defense may be relegated to the mat room, gym, or the martial artist.

Trainers emphasizing one weapon or method of control may have little or no familiarity with the use of others. This situation might be compared with a group of carpenters, each of whom specializes in the use of a different tool. In reality, a competent carpenter must be able to decide quickly on the right tool for the immediate task at hand and to use it efficiently.

Compartmentalization can occur even during simulation training, which is supposed to integrate several training aspects into a unified application through realistic situations. During simulations, the firearms instructor, the legal instructor, and the handcuffing instructor may each critique his or her area as if critiquing separate incidents. Many times, these experts' critiques are contradictory.

Instructors responsible for developing training are sent to commercial schools to "bring back something we can use." The package is then put together with best intentions, but all too often the material is not integrated into a logical, complete package that prepares the trainee for real life; the trainees must accomplish that integration themselves. In the absence of an integrated approach to training, the trainee may be the only one who receives all parts of the picture. No one really knows if the trainee has assembled a complete picture that would meet Supreme Court standards.

Like the carpenter, the line officer must be able to switch back and forth between tools as rapidly as necessary. He or she must be able to recall and integrate all necessary modes of physical control or alternate tactics appropriately and in a timely manner. His or her recall must be available for immediate, unscheduled use in acute situations.

Ideally, officers should receive training from those who have a greater total, integrated, tactical knowledge than the officers do. This invalidates the concept of the "baton instructor," for example. While the instructor may be able to teach manipulation of the baton, the officer must also learn how the baton fits into the use-of-force spectrum. The use of a weapon of any sort cannot be separated from the non-weapon alternatives, such as using positioning tactics, coordinating assistance, or using other available means of safety and control.

Control tactics instructors should specialize in all relevant aspects of the field, because the people they train must do so. It is true that some training areas, such as firearms, require instructors who concentrate and specialize because of the critical safety issues involved. But these instructors must also be proficient in all other aspects of control-related tactics, so the trainee can receive a logical, complete, and reliable indoctrination into dealing reasonably with violence and chaos. Otherwise, the situation arises in which the specialist treats the patient for his/her specialty, rather than for the patient's condition-the trainer teaches the trainee how to perform a technique rather than how to recognize and control a situation.

Inapplicability to community corrections. Some long-established options have been to entrust use-of-force training to a martial arts instructor or to copy military procedures for domestic application. The administrator procures the instruction, assuming that military and martial arts training may be transferred directly into agency operations. However, neither martial arts nor military procedures are designed for the conditions and constraints of law enforcement, corrections, probation, or parole officers. Control options and training must be both compatible with the resources available and based on job requirements and policy.

The need for active simulation training. Another common training escape mechanism is the “awareness” video/lecture, which is often offered as a training substitute for tasks that clearly require physical and situational practice. Instead of giving the officer information, graduated practice, and simulations approximating real life, training consists of exposing the officer to a lecture and video. It is then assumed that the officer will make the connection to real-life performance.

Although officers may be able to see a video and make it work, they may not. I have attended many training sessions in which the trainee was made aware of a problem by dissecting and scrutinizing the mistakes of others. However, trainees were not shown what to do to fix the problem. Nor were they given practice, much less appropriate practice, and their performance ability was never tested, because they did not perform-even once.

Transferring Training to Real Life

Administrators responsible for training probably assume that, given training in the various control devices, officers have the automatic capability to transfer all of these techniques to liability-proof work performance. I assume the opposite: simply teaching a technique or skill will not reliably connect it to the situation(s) in which it should be used.

Learning to use a skill, but not learning to employ it in a situational context, means that the trainee may not reliably be able to recall and use the skill in actual situations. The training may or not be transferred to real life. Transfer of training must reliably occur, or training is useless.

Learning a skill takes place on two levels: the motor skill level and the situational decision level. The brain learns specific, coordinated physical techniques and stores them in the memory in “motor programs.” These programs remember and call into action the various muscle fibers via nerve pathways in specific sequence. These millions of simultaneous commands are compiled and stored through repetition-by remembering the feeling of performing the action, seeing the result, and correcting the performance until the result is acceptable.

The brain uses a different mechanism to learn and store the decision points involved in a physical action-when to perform a motor program, how to adapt the performance, and when to stop. In other words, the physical technique is learned and stored in the brain independently from the situations in which it is to be used.

In sports terms, learning to shoot a basket from one position in one way will not prepare a shooter to play in an actual game, where he or she must use strategy and supplementary techniques to make taking the shot possible. The player must also learn to assess the situation, recognize available tactics, and establish ultimate and temporary goals in order to choose and use the correct motor programs/skills.

Some actions, once started, cannot be stopped-it would take longer to decide not to complete the action and stop it than it would to complete the action. Pulling a trigger is one example. And once a trigger is pulled, it cannot be unpulled.

Some situations require that several motor programs be activated at once, such as if an officer has to run for shielding while also drawing a weapon and checking off an attacker. One motor program can be linked with another, but this linkage must be accomplished through either training or repetitive actual experience.

If learning is not accomplished in training, where mistakes may lead to self-correction, the officer may make the same mistakes in real life-perhaps without even realizing that they are mistakes until after the event has occurred.

Our philosophy is to assume that transfer *has not taken place* from training to real life or even from one stage of training to the next, until the trainee can demonstrate that it has. According to this theory, we might assume that skill in target shooting will not transfer to actual dynamic combat. In fact, a 1993 New York Police Department firearms discharge report indicated that only 19 percent of rounds fired at perpetrators hit their targets.

Training must include situational practice and performance assessment to indicate if the training is accomplishing its goal. None of these components can contradict the others. Otherwise-as a result of an error in policy-parts of the officer's brain may not connect in time when they need to.

Fixing the Training Machine

The good news is that measures can be taken in officer training that are less costly and time-consuming than the ideal model. These measures may actually save training time while improving performance and lessening the risks that officers face.

The key is found in ensuring logical consistency between system components-the same principle that makes the machine work. In this case, the parts are job requirements, supportive policy, equipment, training, tactics, and other support. When taken together, they should make sense.

Following is one way to begin organizing a training solution to the use of force problem.

- Ensure that a responsible administrator has a working knowledge of the actual problems officers face and has received practical, overview training on state-of-the-art equipment, tactics, procedures, and weapons, including their limitations and capabilities. Don't delegate seemingly technical officer safety determinations too far down the ladder and expect to have well-informed decisions.
- Determine the real probable and potential risks associated with job requirements.
- Re-evaluate the necessity for employees to encounter these risks.
- For the remaining risky job requirements, get practical technical advice about available tactical, procedural, and equipment options.
- Determine whether officers are being accorded the necessary support, training, and equipment.
- Determine whether current policy facilitates proper actions and inhibits improper actions by the officer. Often, agency policies call for the officer to "use good judgment." Use-of-force policy may be left open-ended for a variety of reasons. Should litigation occur, the level of elaboration will allow both the agency and the officer a degree of latitude and not bind either to overly technical rules. On the other hand, too general a policy may neither facilitate appropriate actions nor inhibit inappropriate actions. Policies should be clear enough to accomplish both.

- If necessary, fix the policy. Make the requirements technically consistent with human capabilities and the support available to the officer. Otherwise, officers will be forced to find their own adaptations, and some adaptations will not be consistent with the policy.
- Determine if training is necessary. Not all solutions are to be found in training.
- If training is necessary:
 - Do not rely on manufacturers of equipment to be responsible for the content or methodology of your training. They usually do not have the overall picture and are primarily interested in their own products.
 - Look for trainers who are practical, efficient, logical, and use less rather than more time. Will officers actually be safer and more competent after the training? The end of the training should look very much like real life. If it does not, something is wrong.
 - Finally, ensure that job requirements, equipment, support, procedures, methods, and policy are logically consistent, reasonable, and are managed consistently.

Do these things and the Supreme Court and other courts will probably stay off your back. And your employees may actually be appreciative.

For additional information, contact John Desmedt at (703) 754-0682. ■

FLORIDA'S APPROACH TO PROBATION AND PAROLE STAFF SAFETY

by Joseph E. Papy, Director, Community Corrections Division, Florida Department of Corrections

Concern about increasing crime rates and violence has required Florida's probation and parole services to focus more intensively on officer and office safety. A growing emphasis on offender accountability along with the changing role of the officer from a rehabilitative to a proactive enforcer have combined to make probation work more adversarial than ever before. Our agency's commitment to field work as the cornerstone of public safety places our officers in dangerous environments with dangerous persons.

In *New Approaches to Staff Safety*, Robert L. Thornton and John Shireman state: "While performing their duties, most probation and parole officers will be victimized . . . Officers see their clients as more dangerous, posing more of a threat to staff safety. There is a gradual recognition of the need for training on issues such as fire-arms and body armor."

William Parsonage states that his review of the research ". . . suggests that the problem is both extensive and pervasive. Across studies, the career rates of experiencing hazardous incidents range from 38 to 50 percent. When only probation and parole workers with direct responsibility for supervising clients in the field are considered, the victimization rate is significantly higher."

Task Force Recommendations

In May 1991, Harry K. Singletary, Jr., the Florida Corrections Secretary, organized a statewide Staff Safety Task Force for Probation and Parole Services. The charge to the task force was to provide recommendations to the Secretary and executive staff for enhancing staff safety both in the field and in the office.

The task force included two representatives from each of the five geographic regions of the corrections department, two representatives from the Florida Police Benevolent Association (the probation officers' collective bargaining agent), and four at-large representatives appointed by the Secretary. The task force presented 11 recommendations in December 1991. In order of priority, they were:

1. The creation of a Correctional Probation Specialist position to carry high-risk, sex offender, mental health, and other cases that require supervision by an officer with a substantial length of service and more training and job experience than a regular officer.

2. The purchase of cellular telephones and law enforcement radios to allow immediate and direct communication with local law enforcement communication dispatch centers.
3. Enhanced office security standards, including additional interior and exterior lighting, use of lexan glass to separate the lobby areas from the clerical areas, secure buzzer pass-through doors, passive infrared motion detectors connected to an after-hours burglar alarm, and smoke and fire alarm systems.
4. Separate bathroom facilities for offenders, staff, and urine testing.
5. Parking adjacent to the office location.
6. Vaults and safes for secure storage of negotiable instruments.
7. Availability of soft body armor for voluntary use by staff.
8. Creation of an intelligence reporting system and gang database.
9. Standardization of personal safety equipment, such as pepper spray and flashlights.
10. Authorization to allow staff to carry firearms voluntarily.
11. An agency requirement to photograph all offenders under supervision and to maintain current photographs of offenders and staff.

All recommendations of the task force were adopted by the Executive Staff and Implemented.

Voluntary Use of Firearms

Legislative authorization. One of the most significant recommendations was that probation officers be authorized to voluntarily carry firearms while on duty. By state law, officers could carry their personal firearms only while off duty prior to this authorization.

Although the existing state law seemed to permit the agency the discretion to authorize officers to carry firearms while on duty, the agency decided to seek specific legislative authority. A law authorizing officers to carry firearms on duty was passed by both houses of the Florida Legislature in 1992 but was vetoed by the governor. The following year, a compromise piece of legislation was introduced and subsequently became law without the governor's signature.

Provisions of the law are as follows:

- It authorizes state probation officers to carry firearms while on and off duty.
- It prohibits the agency from expending state funds to purchase the firearms, ammunition, or any accessories.
- It allows the officer to obtain firearms training while on state time and at state expense.

Impact of firearms. Since Florida's probation and parole officers have been authorized to carry firearms, there has been one instance of an officer involved in a shooting. Both the officer and the offender were injured in the shooting; fortunately, neither was fatally injured.

In this shooting, the officer was making routine field visits and stopped at a community controllee's home. Unknown to the officer, the community controllee had told members of the community that he intended to kill the officer. It was subsequently learned that the plan was developed in retaliation for the officer's arrest of the offender's brother and the brother's return to prison on a violation charge.

Immediately after the officer left the offender's home, the offender shot at the officer in his vehicle. The officer was shot at three times and was struck twice. The officer lost control of his vehicle, which struck a tree. The offender continued to advance toward the officer, but the officer drew his weapon and returned gunfire, striking the offender three times. A large crowd gathered and surrounded the officer's vehicle. Fortunately, two uniformed deputy sheriffs had heard the gunfire and responded to the scene, which brought control to the situation. The offender was later charged with attempted murder of a law enforcement officer.

Continuing Efforts to Reduce Victimization

It is clear that officers who conduct field supervision-especially of high-risk cases that require intensive supervision-place themselves at the greatest risk for victimization and danger. These officers should pay particular attention to the recommendations of the Florida staff safety task force.

Staff safety is a mutual responsibility of the officer and the agency. Together, they should conduct a continuous, dynamic review of what can be done to improve safety. Periodic, timely reviews of incidents enable the agency to learn from past experiences. Immediate corrective action should then be taken to prevent additional circumstances of victimization.

A final note: the National Institute of Corrections' 1993 publication, *New Approaches to Staff Safety*, by Thornton and Shireman, should be required reading for all probation and parole staff in America.

For additional information, contact Joseph E. Papy, Director, Community Corrections Division, Florida Department of Corrections; telephone (813) 871-7230.

Notes

1. Robert L. Thornton and John H. Shireman, *New Approaches to Staff Safety* (Washington, D.C.: U.S. Department of Justice, National Institute of Corrections, 1993) p. 8.
2. William Parsonage, *Worker safety in Probation and Parole* (Washington, D.C.: U.S. Department of Justice, National Institute of Corrections, 1990), p. 21. ■

FIREARMS: JUST ANOTHER TOOL OF THE MODERN PROBATION AND PAROLE OFFICER?

by Don Stiles, Chief Probation Officer, Pima County Superior Court, Tucson, Arizona

No distinction is made in this paper between juvenile and adult offenders, nor between probation and parole, because while the decisions may differ, the decision points are the same. There are both juvenile and adult departments that have armed officers, and most departments are concerned with the appropriate response to staff safety issues.

Providing probation and parole officers with safety equipment does not change the department's mission-especially that part of the mission which speaks to rehabilitation-or the overall policy of the department. It does call for additional policy, procedures, and training. The department's existing policy dictates how the mission is accomplished and determines to what degree safety equipment and training are needed.

Although most officers in my department are armed, I do not wish to be known as an advocate for firearms. I wish we did not need to concern ourselves about staff safety. How nice it would be if our streets and byways were safe, and we could go about our community corrections business with no worries beyond traffic safety. Unfortunately, in my county and in all the cities and states I have visited, safety is necessarily an important concern of both officers and management.

Are Firearms the Answer?

I am an unashamed advocate for officer safety. To be otherwise would be irresponsible. There are a number of questions surrounding the arming of officers: Do firearms make officers safer? Are officers automatically and magically safe when armed? What are the management issues to be considered in deciding whether or not to arm officers?

No other current topic is surrounded by so much emotion, both in support of and opposed to arming officers. A discussion during a workshop at the APPA conference in July 1996 led to disagreement and shouting among intelligent, educated, professional people. The subject is emotional in part because intelligent, educated, professional people understand that arming officers is not a simple decision and not easily accomplished once the decision is made.

Differing views of administrators and line staff. The subject is also emotional because of pre-conceived beliefs and management concerns that are often more seriously considered by administration than by line staff. Line staff tend to see the issue as black or white, right or wrong, while administrators are more inclined to recognize a huge gray area fraught with critical decision points.

Officers tend to see arms as the means to protect their lives or the lives of others—or at least as a means to diminish the likelihood that they will be attacked. They believe that bad people are less likely to attack someone who has the means to respond with force, especially deadly force. They ask, “Why does the administration not see the issue clearly?”

Administrators see a multitude of concerns surrounding the exposure of the department to liability issues and potential lawsuits. Fears include careless discharges of firearms that could maim or kill officers, other staff, or innocent bystanders; loss of a weapon to someone who would use it against the officer; and he inappropriate use of deadly force. The list of concerns can become quite long—prompting the question, “Why don’t line staff recognize these issues?”

In truth, both sides are right. Once the emotions are calmed, it is clear that arming officers is neither the salvation nor the destruction of probation services. Firearms should be seen as only one of the numerous tools available to promote staff safety.

Some administrators seem to worry more about the issue of arming than about the hundreds of predatory pedophiles on their caseloads. Their solution is to eliminate home inspections and searches because of concern for officer safety. But it is difficult to reconcile this lack of supervision with our responsibility to the community.

Proliferation of firearms. Add to this mix the confusion, debate, and misinformation promulgated at the state and national level regarding gun control, and it is no wonder that emotions about guns run high. The thoughtful observer will note that, while gun control debates have raged during the past 5 years, many states have adopted statutes allowing citizens to secure permits to carry firearms. There are more guns on our streets than ever before, even in the days of the “Wild West.”

Research indicates diminished violent crime in those states that have authorized citizens to carry concealed weapons. The advocates say, “We knew it would work! Give the good citizens guns and the criminals will leave them alone.” Handgun opponents argue that the crime rate would have gone down in any case. Is it any wonder that, in the midst of all this, officers who work the streets want to be armed? Is it surprising that the response of management often reflects political positions and philosophy?

Decision Points: To Arm or Not To Arm

A reasoned response must move beyond the emotions and politics of the moment and deal with the realities of danger. When we put the issues to be considered and the decision points in proper order, the specific questions and the appropriate responses become clearer.

1. **What is the *statutory purpose* of the agency?** In many states, statutes define the legislative intent for the department—its purpose. The wise administrator will not create vision and mission statements without carefully examining and considering the legislative intent.

2. **What *statutory authority* is given the agency?** Law enforcement authority, either general or limited, should be among the first issues explored. This can end further consideration of the possibility of arming officers, unless the department has law enforcement authority (sometimes expressed as peace officer authority) or

specific authority for firearms. A lack of statutory authority should not end the consideration of other tactics to enhance officer safety, however.

Lack of clarity in statutory authority is not unusual; in some states, there is no specific statement of the department's authority. However, the wise administrator will not exceed statutory authority. The initial approach should be "not given/not taken." Further examination may reveal authority for activities normally reserved to peace officers, such as the authority to search with or without a warrant, arrest authority with or without a warrant, or authority to transport probationers or parolees who are in custody.

Administrators who err on either side of the authority question may find themselves in court with neither alibi nor defense. One should not exercise authority not given, but equally risky is the effort to limit, through agency policy, the exercise of legislatively granted or directed authority. An example is a policy decision not to allow officers to search, make arrests, or conduct other legitimate activities even though these activities are intended and authorized by the legislature.

If law enforcement or peace officer status is granted by the legislature, or if the statute authorizes firearms, there is no need for debate. Where firearms are authorized, what rational administrator would allow officers to do searches, investigate new criminal offenses (even for the limited purpose of revocation), or make arrests without requiring them to be armed?

3. What is the *mission* of the department? The administrator who structures a mission statement that does not reflect the full intent of the legislature will not long enjoy his or her job. We cannot pick which parts of the law we like and ignore the rest. Nor can we choose to accept only the part of our responsibility that is easy and fun.

4. How is the mission *accomplished*? Is the mission one which can be accomplished without field work? If so, our concerns are limited to safety in the office setting, which is just as important as, but different from, safety in the field.

Many elements go into making an office safe, the most important of which may be training. Staff who have never worked in a secure setting or had to consider personal safety sometimes put themselves at risk needlessly. Care must also be given to avoid creating unnecessary paranoia while helping staff understand that there is a very real risk to everyone working in community corrections.

Administrators should think carefully before deciding to limit or eliminate field work. Unless such activities are specifically limited by statute, community corrections work by both tradition and belief entails visiting offenders in their homes and at their jobs. It is extremely difficult to explain community corrections in any meaningful sense if the function is conducted solely in the office, which does not provide community protection or enhancement of community safety.

How does one defend a department against a lawsuit brought by the family of a citizen murdered by an offender, if there has been no supervision outside the office? Is the defense, "we were afraid," going to excuse us or buy us any consideration from a jury? Awards and settlements resulting from claims and lawsuits alleging inadequate supervision have been measured in the millions of dollars during the past decade, and we can rest assured that the number of torts will increase.

In one recent case, the settlement was in the millions. The defendant who raped and murdered three young women had been seen an average of six times per week in face-to-face contacts by the probation department. How much would the settlement or jury award have been if truly inadequate supervision had occurred? How do we defend if we are not doing field work?

5. What is the *continuum of risk and force*? Risks increase as officers move into the community. Risk assessment leads to the development of a continuum of force that describes the level of response appropriate for each level of risk, from the least dangerous to a life-threatening encounter. The officer's response is based on the calculated risk and the level of force required to escape or counter the risk.

In the continuum, the use of deadly force is reserved for extreme circumstances. Deadly force is justified only when an officer has reason to believe that he/she or someone else is in immediate threat of death or serious injury and the assailant has both the means and the opportunity. The use of a firearm is the appropriate response in a very small percentage of events. However, there is probably no other adequate instrument when a deadly attack occurs.

How Can We Reduce the Risk?

Policy and training should equip officers to recognize risk and avoid it. If risk cannot be totally avoided, then it may be lessened through a number of strategies:

- Do not go into high-risk areas. Require the probationer to meet you in a less-threatening environment.
- Do not go into high-risk neighborhoods during high-risk times. Make home inspections early in the morning if it is safer and the offender can be contacted at that time.
- Never believe they do not know who you are. Never assume you are safe even if you believe they do not know who you are. Thugs on the street may think you are a bill collector and are carrying lots of money. Strangers always are noticed, and you are the stranger.
- Never believe you know who is in the neighborhood. The person you meet on the street may be the brother or fellow gang member of someone you revoked. You cannot remember them all.
- Never believe they will not hurt you because they do know who you are. That is an egotistic and self-serving attitude, and it will get you hurt or killed.
- Work in pairs or teams. Two people are less likely to be attacked than one; in some cases, four people are even better.
- DO not make arrests without sufficient support. *Never* attempt an arrest alone. A show of force will often make resistance less likely. If you feel the need, call for the police, the sheriff or state police, or all the above. Let them take the lead. They are the experts, and they know how to handle dangerous situations better than we do. They would rather assist you than investigate your death.
- Always be alert. The most routine home visit can go sour in 1/10 of a second.

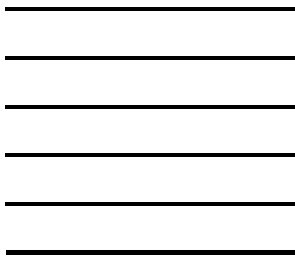
- Plan field work so that a number of officers or teams are in the same neighborhood at the same time. Agree on a meeting place when everyone has finished their work in the neighborhood and agree that no one will leave the area until everyone is accounted for.
- Look around before you stop, park, or leave your vehicle. If things do not look right, leave. There is always another day. Listen to your gut. Instinct often tells us things we do not cognitively understand.
- Park only where it will be difficult for someone to block your car. Never pull into a driveway if the only way to exit is to back into the street.
- In addition to looking around before you park, look behind you. Be alert for someone following you. If you suspect you are being followed, drive around the block. It only takes a few minutes.
- If you are walking and realize you are being followed, radio for help and go where people are, if possible. Avoid any place where you could be cornered or trapped. Get to your car and leave, if possible.

Looking Ahead

Arming probation officers does not and must not change the mission or dictate the policy of the department. The issue is how to best accomplish our mission while effectively managing the issue of staff safety. It is an issue that can be managed; the risk can be reduced. The department can be effective in changing lives, and the firearm can become another tool of the modern probation officer.

Seek the counsel and advice of the law enforcement community. The police can be a source of training, and they are a source of good information about the danger in our communities. Why are some probation and parole administrators reluctant to talk to the chief of police and the sheriff? Perhaps the reluctance is evidence of a much larger problem.

For additional information, contact Don Stiles, Chief Probation Officer, Pima County Superior Court; telephone (520) 740-3814. ■



**COMMUNITY CORRECTIONS OFFICERS' NEED FOR
SELF-DEFENSE SURVIVAL TRAINING**

*by David Guglielmi, Parole Agent, Pennsylvania Board of Probation and Parole,
Philadelphia, Pennsylvania*

Very few corrections agencies provide comprehensive self-defense training. Self-defense training in its purest form is usually neglected, in part because of the large amount of time already required for weapons training and training on arrest-oriented defensive tactics. Other reasons for neglecting self-defense training include budget constraints and the lack of available training sites.

The major systems used in training, such as Pressure Point Control Tactics, offer some basics in self-defense, as they provide training in blocking punches as well as in counterattacks, kicks, and punches. They also train officers in wrist locks and grappling to establish control of a subject who is resisting arrest. However, these systems are focused on establishing physical control of an arrestee within a very specific use-of-force continuum. This limits the amount of force used by an officer to the amount required to re-establish control and complete the arrest process.

In order to avoid liability suits, most training programs place a good deal of stress on the importance of preventing injury to the subject. The need for knowledge of the force continuum and a sensitivity to liability issues cannot be stressed enough when training community corrections officers. However, these officers often have to work in high-crime areas and with extremely violent offenders and their families. As a result, an officer may be subject to physical assault by one or more assailants who may not be related to the offender. The skills and tactics for defending oneself in a sudden and violent assault are usually not practiced sufficiently in arrest-oriented training. What is needed to deal with such situations is training that is survival-oriented.

The Importance of Survival Training

Community corrections officers should therefore be given regular self-defense training that is oriented to survival. Such training should provide them with the skills required to cause immediate severe pain and injury to an assailant. These skills are needed to prevent an initial disabling injury to the officer and to provide an opportunity for the officer to escape from a situation without being subjected to a prolonged and possibly lethal assault.

Many officers have lost their lives because they have been knocked unconscious in an initial assault and have had their weapons removed from their holsters and used against them. Female officers, too, need such training, as they are often required to make visits on sex offenders and can become victims of sexual assault. Self-defense training improves or creates the skills needed to survive in such situations. This

training Can also improve an officer's tactical knowledge and awareness, which can assist him or her in avoiding potentially dangerous situations.

What is Learned in Self-Defense Training?

Self-defense training is not just a set of situation-specific responses that can be taught in a 3-hour training session. Such training provides a number of advantages, including the improvement of balance and movement skills. Because self-defense training also tests an officer's physical fitness and physical abilities, it may help the officer recognize a need to improve his/her overall physical fitness. Having a regular opportunity to practice with others also develops an understanding of the human body and its strengths and points of vulnerability.

The simulation of physical conflict with protective equipment, such as a "red man suit," gives the officer a chance to experience the dynamic nature of a physical conflict and to deal with the feelings generated by being attacked or having to attack another person. The first response of an officer with no previous experience of physical conflict may be to panic and do nothing.

Self-defense training also includes a tactical component that improves an officer's skill at recognizing potentially vulnerable situations, keeping a proper distance from a potentially hostile person, and positioning the body so that it is least vulnerable to attack. With comprehensive self-defense training over an extended period, an officer tends to assume a subtle change in posture and attitude, which makes him or her less likely to be viewed as a victim and consequently attacked.

Conclusion

Policy makers in community corrections agencies are most often in administrative positions. They do not face the hazards faced by a line officer, but the hazards are nevertheless real. The costs to an agency, an officer, and the family are very high when an officer is severely injured on the job.

A comprehensive self-defense training program will increase an officer's arrest skills, improve the officer's confidence in the field and in the office, make the officer less susceptible to intimidation by an offender, and increase the officer's overall effectiveness on the job.

On an agency level, the result is reduced injuries to officers and offenders and an overall decrease in liability-producing incidents. If self-defense training cannot be provided on an inset-vice basis, an agency should arrange to provide agents with time and funding to participate privately in a self-defense or martial arts program.

For additional information, contact David Guglielmi, Pennsylvania Board of Probation and Parole, Philadelphia District Office; telephone (215) 560-2091. ■

AFTER A CRITICAL INCIDENT A COLORADO CASE STUDY

by Larry Linke, Program Manager, National Institute of Corrections Information Center, Longmont, Colorado

Agencies concerned for the safety of probation and parole officers who must supervise dangerous offenders in areas that pose significant risks have designed various responses to prepare for or avoid critical incidents. These responses range from training staff in self-defense techniques and in how to de-escalate confrontations to providing safety equipment or firearms. Such steps are absolutely necessary. A recent incident involving the Colorado Division of Adult Parole Supervision highlights the importance of accompanying them with plans to handle the aftermath of a critical incident if one should occur in spite of the agency's best prevention efforts. A review of the Colorado agency's response may assist other probation and parole managers in developing such plans.

On July 19, 1996, two parole officers (one male, one female) were making a routine home inspection at 9:30 p.m. in southwest Denver. Officers of the agency are armed, and agency policy requires two officers when home inspections are made in the evening. The parolee being contacted had previously been on the unit supervisor's caseload, so the supervisor was also on the scene to monitor the inspection and to transfer case supervision to one of the parole officers.

The parolee was not home when the officers arrived, but the parolee's sister permitted the officers to check the premises. The officers found a pistol in the parolee's closet, and, as they were removing the weapon, the parolee arrived home and met the officers in front of the house. When informed that he would be taken into custody, the parolee ran behind the house with the officers in pursuit. After a short chase, the parolee stopped, pulled a weapon, and aimed it at the officers. One of the officers fired twice, fatally wounding the parolee.

The agency director was called to the scene immediately. The director was a past Denver police chief, and his experience in law enforcement helped the agency deal effectively with the aftermath of the shooting, the first such incident in agency history. A number of local police were in the neighborhood on an unrelated matter, and they also quickly responded to the scene.

Several agencies and individuals were then brought into the picture:

- The police contacted the local prosecutor's office to assist with the onsite investigation.
- The parole director contacted an attorney with experience representing police officers in similar situations to represent the parole officer. Questioning of the parole officer and statements to police were delayed until the legal counsel was present.
- The parole director notified the State Attorney General's office, which is responsible for representing the interests of any state agency.

- The parole director contacted a psychologist who had previously consulted with the parole agency and local law enforcement regarding traumatic incidents. The psychologist came immediately to the scene to offer support to the officers and, throughout the investigation, provided support to the officers and their families.
- As the parolee had gang affiliations, the local parole regional manager coordinated with local police gang units to monitor gang activity and reduce the risk of gang retaliation. The police and parole officers contacted suspected gang members, conducted weapons searches, and increased gang surveillance.

Agency administrators also conducted a Critical Incident Review to determine if agency procedures had been followed and to identify any implications for revising policy or training. The review resulted in plans to increase training for crime scene preservation. It also prompted officials to consider developing a card for officers to carry that would provide staff and agency information-including references to statutory authority for carrying weapons-on one side, and on the other a quick reference of steps for officers to take following a critical incident.

Elements of Critical Incident Response

Although incident response is routine for law enforcement agencies, it is not routine for probation and parole agencies. These agencies' increased focus on preventing or dealing with critical incidents should be accompanied by an increased emphasis on preparing for reacting appropriately in their aftermath.

On-site response. Agency policies, procedures, and training must address immediate steps for staff to take after an incident. These should include notification of local law enforcement and other emergency teams, contacts with agency management, preservation of evidence, and identification of witnesses.

Protection of legal interests. Critical incidents raise the potential for criminal and civil litigation against the agency and staff. Agencies should make provisions for immediate notification of the agency's legal representatives and of separate counsel to protect a staff person's legal interests. (The legal interests of the agency and staff may not always be the same.)

Staff and witness support. Plans should be in place to provide staff with immediate personal counseling, along with long-term monitoring and support for them and their families to help them adjust to the stress of critical incidents.

Staff and witness protection. In cooperation with local law enforcement, the agency should review the family and associates of offenders to determine the presence of any risk to staff or witnesses of critical incidents. Local victim/witness programs may also provide resources to deal with this potential problem.

Incident review. Following any critical incident, agency managers should debrief those involved, analyze the level of compliance with agency policies and procedures, and determine the need for modifying any existing directives or staff training.

For further information, Thomas E. Coogan, Director, Colorado Division of Adult Parole Supervision; telephone (303) 239-5435. -Thanks to Thomas E. Coogan, Director, and Ernie Fernandez, Supervisor, Division of Parole Supervision, Colorado Department of Corrections, for information for this article. ■

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